

KS Company Trust
1309 Beacon Street (Trader Joe's and others)
And
On behalf of Harvard & Beacon LLC
1319 Beacon Street (Bank of America and others)
Brookline, MA 02446

Zoning Board of Appeals
Brookline Town Hall
333 Washington Street
Brookline, MA 02445

May 4, 2018

RE: Grave concerns about the 1299 Beacon Street Proposed 40B Project

Dear Sirs:

We have reviewed the revised March 23rd submittal for Raj Dhanda's proposed 40B mixed use development at 1299 Beacon Street. In short, despite his reduction of apartment units and parking, his resubmittal remains poorly designed and unsuitable for the size and shape of 1299 Beacon Street. As the longstanding owner of two adjacent properties at 1309 Beacon Street and 1319 Beacon Street, this letter is to express our continued concerns about the size, scope, design, traffic, and major safety issues of his revised proposal. In brief, we remain greatly concerned that the revised program is unworkable with respect to site access, vehicular traffic, circulation, and despite the reduction, it still does not fit the neighborhood. We also have major concerns about the lack of attention to water and drainage displacement.

PROJECT SIZE AND SCALE IS A TOTAL DEPARTURE FROM OTHER COOLIDGE CORNER DEVELOPMENT

The initial proposed 14 story building is an enormous structure and out of scale with the Coolidge Corner neighborhood and all adjacent and nearby buildings. The developer was clearly proposing the massive structure hoping to get something close to that size approved. In the end even a drastically reduced project in size is still completely out of character for Coolidge Corner. The new proposal of a 10-12 story structure is still nearly three times the neighborhood height of surrounding buildings towering over other buildings, none of which is greater than four stories. Both of our buildings conform to zoning code and are in keeping with the neighborhood. This proposed plan is out of scale with both.

TRAFFIC, CONGESTION, AND GENERAL SAFETY CONCERNS

The traffic that will be created by 74 residential units above two stories of retail with 99 parking spaces served by elevator lifts is still excessively large and burdensome (again referring back to the developer masking the

egregious size of the project now that the proposed size has been “reduced”). The area around that site is already very congested, and this proposed development would effectively create a roadblock and jam the streets as cars, trucks, and other service vehicles enter and exit the property.

At certain hours, due to the extreme surface street congestion, our tenant, Trader Joes, hires off-duty Brookline Policemen to assist with traffic flow into and out of the lot at 1309 Beacon Street. The surrounding streets cannot accommodate the level of additional traffic contemplated by a project of this magnitude. In fact, previously to make the area safer we purchased the metered parking spaces along Longwood Ave., as indicated below, to improve safety and congestion.

LIFE SAFETY ISSUES IMPEDING SWIFT ACCESS TO LONGWOOD MEDICAL AREA

Longwood Avenue is a key axis to the Longwood Medical area. At a great expense we bought out the row of parking meters from the Town of Brookline on Longwood Avenue in front of Brueggers a number of years ago and together with the town, worked to eliminate those few parking spaces, and to create a second lane of traffic. This enabled us to streamline a left turn lane into the very highly visited Trader Joe’s parking lot so that life safety vehicles could flow freely in the right lane. The proposed development would completely undo the safety improvement we achieved. The traffic backup on Sewall and Longwood as cars and trucks wait to turn in to the proposed development would thwart medical vehicles that use this corridor to reach the Longwood Medical Area. Furthermore, delivery trucks routinely station themselves in the no parking area despite prominent signage, and block this right travel lane. This will likely continue due to lack of enforcement. A development of this scope as the applicant seeks at 1299 Beacon Street would further exacerbate the non-enforcement problem, and complicate and impede safe and proper emergency ambulance trips.

NARROW SITE SHAPE CREATES ACCESS AND PARKING CHALLENGES THAT ARE POORLY ADDRESSED

The 1299 Beacon Street parcel is narrow, which creates automobile and delivery truck access and parking challenges. Instead of a traditional underground garage ramp with no mechanical parts that can fail, the developer’s proposal contemplates car elevators and stacker lifts, mechanical devices that can and do break down—which will only create more congestion and vehicular jams on Brookline Streets when these situations arise. This congestion problem will be further magnified with truck deliveries and trash pickups on the proposed 1299 Beacon Street development program, and trucks attempt to turn around on narrow one-way Sewall Avenue and back into the narrow site and station themselves on the site’s far left side for these purposes.

ONE WAY SEWALL AVENUE NOT SUITABLE FOR MAGNITUDE OF BACKING UP AND TURNAROUNDS

The delivery, moving, and trash trucks will be unable to easily navigate the site access proposed by developer. This area is highly congested, and traveled by walkers with small children and strollers, along with elderly folks

using canes and walkers. The multiple vehicle back-ups and traffic could create pedestrian and bike confusion, leading to accidents due to tightness of the space. Further, emergency vehicles traverse these streets daily and the congestion created by this site will make it unsafe. In sum, site access needs to be thoughtfully redesigned.

WIDTH AND TURNING RADIUS PROBLEMS DUE TO POOR SITE DESIGN AND INADEQUATE CIRCULATION

The narrow width and turning radius of the proposed development site traffic flow creates access and site circulation challenges, which will create backups on the proposed development site, and on Sewall, Longwood, and potentially Harvard Street. Adequate turning conditions and access for emergency vehicles, like ambulances and fire trucks to the proposed site has not been considered either. The site circulation needs to be thoughtfully redesigned.

- Moving Trucks
- Commercial/Retail Delivery Trucks
- Ambulances
- Firetrucks
- Trash storage and removal
- FedEx/UPS daily deliveries to residential customers of on line packages (Amazon, etc.)
- Pickups by Cabs, The Ride, UBER, Lyft and other ride-sharing services

INSUFFICIENT SURFACE PARKING TO MAKE THE PROGRAM WORKABLE

Developer has very limited surface parking in his program, which will create more congestion and back-ups on the streets of Brookline impairing our tenants access to the properties at 1309 and 1319 Beacon Street, and make both the residential and retail experiences difficult for his tenants.

We respectfully request that surface parking to accommodate the retail use is a requirement. If the developer incorporates the proposed retail used on the site, we request that he be required to build sufficient surface spaces to accommodate the square footage parking ratio for those retail customers. And, we also respectfully request that he provides employee parking spaces in adequate numbers so that his employees who are unable to use public transportation or walk to the site can park at the 1299 site as well.

INCONVENIENT AND NON-WORKABLE UNDERGROUND PARKING WILL IMPEDE ACCESS FOR OUR TENANTS

Parking lifts/car elevators and car stacker systems are cumbersome mechanical systems which sometimes fail. Any delays will layer cars one behind the other and onto the Brookline Streets and would create a back-up on Sewall Avenue and Longwood Avenue and potentially Harvard Street, complicating access to our sites at 1309 Beacon Street and 1319 Beacon Street. The proposed underground parking program needs to be redesigned.

POACHING PARKING AT OUR PARKING LOTS DUE TO LACK OF EASE TO PARK AT 1299 BEACON

We are also concerned that potential residents and customers of the proposed development will “poach” parking at our 1309 Beacon and 1319 Beacon Street lots since people will prefer an easy drive into a parking lot rather than wait to access a parking stacker via a car elevator system, human nature being what it is. This will overburden our very busy parking lots, and is unfair to us and to our tenants’ customers.

LOT LINE

The plans would suggest that the 1299 Beacon Street building would not be built to abut the property line at 1309 Beacon Street. We would like clarification on this point, since our 1309 Beacon building is built to the lot line abutting 1299 Beacon Street. We are very concerned about surface water run off that will be created by this massive proposed structure.

TRASH AND DELIVERY USES POORLY PLANNED OR UNPLANNED

Being long-standing commercial property owners and operators, we understand how important it is to locate trash compactors in appropriate places, screen them well, do pest prevention for food waste, and the like. The developer seems to have omitted plans for trash, and seems to think that trucks will be able to turn around on one-way Sewall to back into a narrow delivery spot on the left rear of the site. As mentioned, this plan will create major backups on Sewall and Longwood and the developer should rethink and re-design these two important site needs.

LOSS OF ANCILLARY PARKING TO TRADER JOES DUE TO THE MAGNITUDE OF THIS DEVELOPMENT

Our long-standing tenant, Trader Joe's, would lose 20 ancillary parking spaces that it has enjoyed renting from the developer and using for overflow customers for many years on the 1299 Beacon Street site. Trader Joe's is a valued and necessary neighborhood partner that provides easy and safe access to food for the neighborhood.

FLEXIBILITY OF RETAIL TO ACCOMMODATE CHANGES THROUGH THE YEARS

The plan does not adequately contemplate multiple types of retail tenancy over the life of the building. For example, at 1309 Beacon, over the years since we built it in 1985, we have leased to a wireless phone store, a game store, a furniture store, a lighting store, a bank ATM, a prepared food emporium, and now rent our retail space to Trader Joe's. The site design, circulation, pest control, and trash needs of each of these uses has been accommodated by our location because the site design, trash and delivery concerns, vehicle access, and circulation, were well thought out and structured. We would suggest that the proposed development has not contemplated nor planned for these issues, and suggest that the developer retool his plan and does the same, since change is a constant in retail concepts.

OTHER IMPACT ON OUR TENANTS—REQUEST DEVELOPER REVISE PLAN TO ADDRESS NEIGHBORING BUILDINGS AND THEIR USES

- Potential harm to the functionality of ATT cell tower antenna tenant on the 3rd floor at 1319 Beacon Street due to the massing and height of proposed development
- Impact on 1309 Beacon Street 2nd floor tenants rear patios and loss of enjoyment (view)
- Back-ups will create congestion and impede Bank of America ATM drive through and regular bank customers who would have difficulty accessing the parking lot and drive-through
- Complication and congestion from 1299 Beacon's potential delivery and residential moving trucks would impede the deliveries and trash and surplus food pickups (Loving Spoonfuls for homeless shelters) that occur multiple times daily for Trader Joes.
- The elimination of the alley and the placement of fencing in this area should be reviewed by the town for safety reasons.

For all of these concerns, as longstanding owners of commercial property in the Town of Brookline who work hard to be good neighbors, we vehemently oppose the proposal as designed, respectfully request that the Zoning Board Of Appeals take a stand against this poorly conceived huge development project that is too large, functionally cumbersome, and presents burdensome and unsafe circulation, traffic, and parking conditions.

However in the spirit of productive, positive collaboration, and to encourage appropriate development in Coolidge Corner, we offer the following approaches for consideration, either of which could make for a

workable solution to many of the problems that proposed design raises. Either approach described below would greatly alleviate some of the larger concerns raised by the developer's revised program.

ALTERNATIVE APPROACH 1---- ALL RESIDENTIAL AND NO GARAGE PARKING

We propose that the Town consider approving a residential project with as many floors that the Town feels is appropriate with ZERO square feet of first floor (or second floor) retail use, and ZERO garage parking spaces for residents. In this way, the developer will minimize public safety traffic congestion impacts. He would also deliver more affordable units to the Town of Brookline's Housing stock with the addition of apartment dwelling units on the first and second floors instead of using those floor areas for retail. In addition, it has considerable cost advantages to the developer since he would enjoy reduced construction expenses with no underground garage to construct.

As stated above, traffic congestion to and from the site would be greatly reduced with no garage parking and no retail uses on site. The only vehicles entering or exiting the site will be for trash pickup, deliveries, moving vans, taxi-cabs, shared lift cars, The Ride, and emergency vehicles, the sum of which could more readily be accommodated on narrow one-way Sewall Avenue. By eliminating all parking for the 55+ senior housing, the developer could pave the way for the mass transit, heavy walking resident group that the developer favors in his write-up. This zero-retail program, as mentioned above, would also serve to increase the number of affordable units created, which would be an admirable feat for the developer to accomplish, and good for the town's affordable housing stock.

ALTERNATIVE APPROACH 2---NO GARAGE AND LIMITED RETAIL WITH CONCOMITANT SURFACE LOT PARKING

We propose that if there is any retail square footage permitted in the proposed project, that the number of square feet be limited to the extent that sufficient surface parking spaces are built as per the Town parking requirements. In other words, if no surface retail parking is provided, then no retail use is permitted and constructed. If some surface parking is provided, then a concomitant amount of retail square foot use associated with that parking allotment could be permitted and constructed. The developer, if allowed to demolish an existing active surface parking lot used by his current retail establishment, should be required to replace those surface parking spaces for retail uses if he wishes to maintain retail uses on the site.

FURTHER THOUGHTS ON THE IMPORTANCE OF SURFACE PARKING FOR RETAIL TENANTS CUSTOMERS

While the developer currently operates a retail store at the site and uses the 30+ parking spaces for employees and customers, remarkably, his revised program states that the new development with 12,000 square feet of

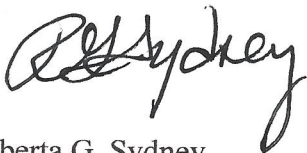
retail will need NO PARKING SPACES for any of the retail users and their customers. His program specifically states that no parking spaces will be provided for retail tenants employees or customers, and that all the employees and customers will use public transportation, or walk to and from the site.

Despite the developer's statement that people walk and use public transit to come to retail stores, this statement belies the fact that he operates a retail store on the site now, and his parking lot is currently fully used. We have similar experience over the decades owning 1319 Beacon Street, and 1309 Beacon Street. Retail customers and tenant's employees drive to retail locations, even in dense Coolidge Corner. Despite the high density of this neighborhood and the availability of bus and Green Line MBTA lines, many employees need parking, and many customers do as well, which is why the developer should build adequate surface parking for retail customers and employees if there is to be any retail use on the site.

We prefer Approach 1, since it would increase the number of affordable units for the town. However, if Approach 2 is preferable, we respectfully request that surface parking to accommodate the retail use is a requirement. If the developer incorporates any retail use on the site, we request that he be required to build sufficient surface spaces to accommodate the square footage parking ratio for those retail customers. And, we also respectfully request that he provides employee parking spaces in adequate numbers so that his employees who are unable to use public transportation or walk to the site can park at the 1299 site as well.

We suggest that the developer redesign his program using one of our alternatives to solve site access, public safety, circulation issues, and address the neighbors and the associated traffic.

Very truly yours,

A handwritten signature in black ink, appearing to read "Roberta G. Sydney". The signature is fluid and cursive, with the first name being the most prominent.

Roberta G. Sydney
Trustee, KS Company Trust
and Manager, Harvard & Beacon LLC